

the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$800, in conformity with section 10 of the act, conditioned in part that the product be relabeled as "Flour Spaghetti," under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

SS55. Adulteration and misbranding of gelatin. U. S. * * * v. W. B. Wood. Plea of nolo contendere. Plea of \$25 on each of counts 1, 2, 3, 5, 6, 7, and 8, a total of \$175 and costs. Count 4 dismissed. (F. & D. No. 12331. I. S. Nos. 6076-r, 6961-r, 7826-r, 7827-r.)

On September 14, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in 8 counts against W. B. Wood, St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about November 2, 1918, from the State of Missouri into the State of Arkansas, on or about September 27, 1918, from the State of Missouri into the State of Oklahoma, and on or about April 1, 1919, and April 16, 1919, respectively, from the State of Missouri into the State of Minnesota, of quantities of gelatin which was adulterated and misbranded. The Arkansas and Oklahoma consignments were unlabeled. The Minnesota consignments were labeled in part, "Pure Food Gelatine" and "Gelatine," respectively.

Analyses of samples of the article taken from all consignments by the Bureau of Chemistry of this department showed the presence of glue and excessive quantities of zinc in each instance, and in the Minnesota shipment of April 16, also excessive quantities of copper.

Adulteration of the article was alleged in the information for the reason that it contained a certain poisonous and deleterious ingredient, to wit, zinc, and in the case of the Minnesota consignment of April 16, zinc and copper, which might render the article injurious to health. Adulteration was alleged for the further reason that zinc and glue, and in the Minnesota shipment of April 16, zinc, glue, and copper, had been substituted for gelatin, and had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength.

Misbranding was alleged in the case of all consignments for the reason that the article was an imitation of, and was offered for sale and sold under the distinctive name of, another article, to wit, gelatin. Misbranding was alleged with respect to the 2 Minnesota consignments for the further reason that the statements on the labels, "Pure Food Gelatine" and "Gelatine," respectively, were false and misleading in that they represented that the article was pure food gelatin or gelatin, as the case might be, and for the further reason that it was labeled so as to deceive and mislead the purchaser into the belief that it was pure food gelatin or gelatin, whereas, in truth and in fact, it was not.

On November 6, 1920, the fourth count of the information, alleging misbranding of the shipment to Oklahoma, having been dismissed, the court imposed a fine of \$25 and costs on each of the 7 remaining counts, an aggregate fine of \$175 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

SS56. Adulteration of compound black pepper. U. S. * * * v. Hanley & Kinsella Coffee and Spice Co., a Corporation. Plea of nolo contendere to first count. Second count dismissed. Fine, \$25 and costs. (F. & D. No. 12359. I. S. No. 16232-r.)

On September 14, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the